

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DIVISION OF PUBLIC UTILITIES AND CARRIERS
89 JEFFERSON BOULEVARD
WARWICK, RHODE ISLAND 02888**

In re: Cost of Living Increase for Towing Rates for Non-Consensual Tows in accordance with Report & Order No. 18328.

Docket No. 05 MC 78

Order

WHEREAS: On August 19, 2005, the Division of Public Utilities and Carriers (“Division”) issued Report & Order No. 18328, which approved a “Consent Agreement Regarding Rates for Non-Consensual Towing and Storage Within The State of Rhode Island and Related Matters” (“Agreement”) petition, filed jointly by the Rhode Island Public Towing Association, Inc. and the Motor Carriers Section of the Division.

WHEREAS: The Agreement provided for an automatic rate adjustment for non-consensual tows to take effect on the 30-month anniversary of Report & Order No. 18328 and again on the 42-month anniversary and the 60-month anniversary. Each adjustment was to be based on the change in the national Consumer Price Index (“CPI”) for the preceding 12-month period. Specifically, the Agreement called for non-consensual tow rates to be adjusted on the aforementioned anniversaries by 80 percent (80%) of the CPI for the immediately preceding 12- month period. The new rate established would then be in effect for a 12-month period.

WHEREAS: According to the United States Department of Labor statistics, the average CPI for the 12-month period ending December 2008 rose 4.0 percent (4.0%) and eighty percent (80%) of that increase is 3.2 percent (3.2%). The current \$77.50 non-consensual police-ordered tow rate increased by 3.2 percent works out to be \$79.98. The current \$88.00 non-consensual private property tow rate similarly would work out to \$90.82. In light of the fact that such rates are traditionally rounded to the nearest 50-cent increment, the Division finds that the rates should be increased to \$80.00 and \$91.00, respectively.

Now, therefore,

It is Ordered (19589)

That the Division of Public Utilities and Carriers approves the following rates,
effective March 9, 2009:

Non-Consensual Police-Ordered Tow:	\$80.00
Non-Consensual Private Property Tow:	\$91.00

The above rates shall remain in effect for a period of 12 months until another
scheduled adjustment on the 60-month anniversary of Report & Order No. 18328.

DATED AND EFFECTIVE AT WARWICK, RHODE ISLAND, THIS 9th
DAY OF MARCH, 2009.

Thomas F. Ahern
Administrator